

Message Text

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ORIGIN NASA-02

INFO OCT-01 ARA-10 ISO-00 OES-05 L-02 ACDA-10 CIAE-00

DODE-00 PM-03 INR-07 NSAE-00 NSC-05 /045 R

DRAFTED BY NASA/I:BGGARNER

APPROVED BY OES/SCI/SA:DAVOGT

NASA/TN:CATAYLOR (MEMO &PHONE)

NASA/G:HGKUPPERMAN

NASA/I:SEDOYLE

L/T;AROVINE

ARA/EP:WCLARKE

L/OES:SBURTON

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FM SECSTATE WASHDC

TO AMEMBASSY QUITO PRIORITY

UNCLAS STATE 119774

E.O. 11652:N/A

TAGS:TSPA

SUBJECT:NASA STATION NEGOTIATIONS

REF: QUITO 2997

1. REGRET DELAY RESPONSE REFTEL WHICH OCCASIONED BY NEED FOR COMPREHENSIVE REVIEW BY NUMBER OF OFFICES WITHIN BOTH NASA AND DEPARTMENT.

2. WE HAVE ENDEAVORED TO KEEP COMMENTS AND CHANGES TO A MINIMUM TO EXPEDITE NEGOTIATION AND SIGNATURE. THERE ARE HOWEVER FIVE CHANGES WE BELIEVE NECESSARY:

A. ALTHOUGH NASA DOES NOT OBJECT TO PROVIDING ECUADOREAN COOPERATING AGENCY WITH ANY AND ALL DATA RECEIVED AT STATION, WE ARE CONCERNED WITH PRACTICAL EFFECTS OF NEW ARTICLE UNCLASSIFIED

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II PARA C WHICH APPEARS TO ROUTINELY REQUIRE SUPPLYING ALL DATA. OUR CONCERNS ARE TWO: FIRST THE SHEER QUANTITY AND BULK OF RECORDED DATA COLLECTED AND SECOND, FACT THAT INCREASINGLY DATA IS TRANSMITTED IN REAL-TIME WITHOUT ACTUALLY

BEING RECORDED AT STATION. RAW SPACECRAFT DATA ITSELF PRACTICALLY USELESS WITHOUT PROCESSING. THEREFORE WE SUGGEST MODIFICATION TO PARA C TO DELETE WORDS IN THIRD LINE QUOTE AND ECUADOR UNQUOTE AND ADD NEW SECOND SENTENCE QUOTE ANY

SCIENTIFIC DATA RECEIVED AT
THE TRACKING STATION WILL BE MADE AVAILABLE TO THE ECUADORIAN COOPERATING AGENCY UPON REQUEST UNQUOTE.

B. IN ARTICLE IV, THIRD PARAGRAPH, FIRST LINE INSERT WORDS QUOTE IT FINDS IT UNQUOTE BETWEEN QUOTE WHEN UNQUOTE AND QUOTE NECESSARY UNQUOTE. SENTENCE THEN BEGINS QUOTE THE UNITED STATES COOPERATING AGENCY, WHEN IT FINDS IT NECESSARY...UNQUOTE. PURPOSE OF CHANGE TO MAKE CLEAR THAT IT IS NASA'S DECISION TO UTILIZE U.S. PEOPLE ON SHORT TIME BASIS. NASA BELIEVES THIS ESSENTIAL TO EFFICIENT OPERATION OF STATION AND FAST ACTION SOMETIMES REQUIRED FOR MISSION SUCCESS.

C. ARTICLE IV, FOURTH PARAGRAPH SUBSTITUTE FOR ENTIRE PARAGRAPH THE FOLLOWING QUOTE IN ORDER TO PROVIDE FOR SUPPLEMENTAL TRAINING OF THE ECUADORIAN PERSONNEL, THE COOPERATING AGENCIES SHALL MUTUALLY DEVELOP A TRAINING PROGRAM, RELEVANT TO THE NEEDS OF THE STATION, UTILIZING THE FACULTY AND FACILITIES OF THE ECUADORIAN COOPERATING AGENCY, AND PARTIALLY FUNDED BY THE UNITED STATES COOPERATING AGENCY UNQUOTE.

CHANGE IS TO MAKE CLEAR THIS IS ADDITIONAL AND SUPPLEMENTAL TRAINING TO BE DEVELOPED MUTUALLY, THAT IT IS RELEVANT TO NEEDS OF STATION, AND TO AVOID ANY IMPLICATION THAT NASA WILL BEAR ALL COSTS OR THAT TRAINING IS OPEN ENDED. NASA WOULD EXPECT THAT FUNDING WOULD BE QUITE MODEST.

D. ARTICLE V HAS ELIMINATED PROVISION ADDED IN 1971 (TO ARTICLE VI) PERMITTING AMERICAN EMPLOYEES AT UNCLASSIFIED

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STATION TO IMPORT DUTY FREE A SECOND AUTOMOBILE DURING A 90 DAY PERIOD BEGINNING FOUR YEARS AFTER IMPORTATION OF FIRST AUTOMOBILE. WE UNDERSTAND THIS SIMPLY MATTER OF OVERSIGHT, AND NASA FEELS THAT UNLESS THIS IS RECTIFIED, EMPLOYEES AT STATION WOULD BE UNDULY PENALIZED. THUS, FOLLOWING SHOULD BE ADDED AT END OF PARAGRAPH ONE: QUOTE IN ADDITION, THE GOVERNMENT OF ECUADOR WILL PERMIT THE IMPORTATION OF A SECOND AUTOMOBILE BY THE SAME UNITED STATES CITIZEN OFFICIAL OR CONTRACTOR WITHIN A PERIOD OF 90 DAYS BEGINNING ON THE DATE THAT MARKS THE LAPSE OF FOUR YEARS SINCE THE IMPORTATION INTO THE COUNTRY OF THE FIRST AUTOMOBILE UNQUOTE.

E. ARTICLE VIII, FIRST PARAGRAPH, FOURTH LINE DELETE
WORD QUOTE STATION UNQUOTE AND SUBSTITUTE WORDS QUOTE
UNITED STATES COOPERATING AGENCY UNQUOTE.

UNDER PROPOSED LANGUAGE NASA WOULD BE PRECLUDED FROM TRANS-
FERRING EQUIPMENT FROM QUITO STATION FOR USE IN OTHER STA-
TIONS OF NETWORK RESULTING IN INEFFICIENT OPERATION AND
NETWORK MANAGEMENT. THIS NOT ACCEPTABLE TO NASA.

3. IN ADDITION ABOVE SPECIFIC CHANGES, WOULD APPRECIATE
CLARIFICATION OR CONFIRMATION REGARDING:

A. IN ARTICLE VI PARAGRAPH THREE LINE THREE, WE ASSUME
TABAOON SHOULD READ QUOTE GOODS UNQUOTE.

B. WOULD APPRECIATE EMBASSY/STADIR COMMENTS RE EFFECT OF
DELETION OF PARA 2 ARTICLE VII OF ORIGINAL AGREEMENT FOR
NASA DIRECT HIRE EMPLOYEES.

4. COMMENTS RE SPANISH TEXT AND PROVISION OF NEW TEXT
FOR CHANGES PARA 2 ABOVE WILL BE SUPPLIED SEPTTEL.

5. IF (1) ASSUMPTION PARA 4A CORRECT, (2) DELETION PARA 2
ARTICLE VII DOES NOT APPEAR TO RESULT IN ANY SIGNIFICANT
ADDITIONAL COST TO NASA, AND (3) ALL FIVE CHANGES PARA 2
ABOVE ACCEPTABLE TO GOE (BOTH ENGLISH AND SPANISH TEXTS),
EMBASSY AUTHORIZED TO SIGN AGREEMENT.

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HOWEVER, IF DELETION PARA 2 ARTICLE VII APPEARS SIGNIFI-
CANT AND/OR GOE UNHAPPY ABOUT ANY CHANGES PROPOSED
2 ABOVE, SIGNING SHOULD NOT BE CONCLUDED WITHOUT ADDITION-
AL COMMENT AND AUTHORIZATION FROM DEPARTMENT.

6. IN ADDITION REQUEST THE FOLLOWING CHANGES BE REQUESTED.
ARTICLE VIII, FIRST SENTENCE: CHANGE TO READ IN ACCORDANCE
WITH THE LAWS AND NORMAL ADMINISTRATIVE PROCEDURES, ETC.
ARTICLE X FOURTH LINE CHANGE QUOTE PROLONGED UNQUOTE TO
QUOTE EXTENDED UNQUOTE. SECOND PARAGRAPH DELETE QUOTE THE
LEGISLATIVE BODIES OF THAT GOVERNMENT UNQUOTE AND SUBSTI-
TUTE QUOTE THE CONGRESS UNQUOTE. THESE CHANGES ARE DE-
SIRED BUT NOT MANDATORY PRIOR TO SIGNATURE. INGERSOLL

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